

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

IN RE:

Case No: 09-43881-DML

Juan Jose Silva & Emigdia Cisneros Silva

Debtor(s)

**TRUSTEE'S PROFFER RESPECTING CONFIRMATION**

The Trustee scheduled a prehearing on the Plan in this case on November 17, 2009. The Trustee reviewed at the prehearing all evidence necessary to ensure the accuracy of this report. If there was/were objection(s) to confirmation, the objection(s) was/were resolved, and any modifications in aid of such resolution(s) are consistent with 11 U.S.C. Section 1323.

1. The Plan complies with the provisions of Chapter 13 and Title 11.

( X ) Yes ( ) No

If no, the following was not complied with:

2. Any fee, charge, or amount required under Chapter 123 of Title 28 or by the Plan to be paid before Confirmation, has been paid.

( X ) Yes ( ) No

3. The Plan has been proposed in good faith and not by any means forbidden by law.

( X ) Yes ( ) No

4. General Unsecured creditors will receive no less than the amount they would in Chapter 7 liquidation. General unsecured creditors will receive a pro rata share of the greater of (1) the Unsecured Creditors' Pool of \$0.00, or (2) debtor's(s') equity in Non-Exempt property of \$10,227 00 after provision for priority claims. A calculation showing no unfair discrimination in favor of any special class is attached as an exhibit, if applicable.

5. All secured creditors have either accepted the Plan, will receive property equal in value to their claim, or debtor(s) will surrender the property securing the claim to the creditor. Details are shown on the Final Plan dated September 28, 2009.

6. The debtor(s) will be able to make all payments under the Plan and comply with the Plan, (feasibility).

( X ) Yes ( ) No

7. The action of the debtor(s) in filing the petition was in good faith.

8. If Debtor has domestic support obligations, Debtor has filed a certificate pursuant to General Order 2007-02 paragraph 17b and section 1325 (a)(8) of the Bankruptcy Code that all amounts due post-petition are current

9. The debtor(s) has/have filed all applicable Federal, state, and local tax returns as required by section 1308.

10. See attached Trustee's calculation of Disposable Income and Unsecured Creditors' Pool.

11. Debtor's(s') proposed monthly plan payment(s) are:

TO THE TRUSTEE THE SUM OF \$250.00 PER MONTH FOR THE FIRST 18 MONTHS; \$21,000.00 FOR THE NEXT MONTH; \$250.00 PER MONTH FOR THE FINAL 41 MONTHS FOR A TOTAL OF \$35,750.00 IN 60 MONTHS.

Plan Base

\$35,750.00

12. If there is an Unsecured Creditors' Pool or non-exempt property and no pro-rata secured or priority claims being paid, Debtor's(s') proposed monthly plan payment is at least 90% of Debtor's(s') Surplus per Schedules I and J.

Date: 12/11/2009



Tim Truman, Trustee, State Bar # 2025800

Angela Allen, Attorney, State Bar # 00786970

Prepared by: Debbie Conkle

Audited by: MG

**Below Median Disposable Income Worksheet**

(36 Month Applicable Commitment Period)

<b>Case Number:</b>	09-43881	<b>Section 341 Date:</b>	8/11/2009
<b>Debtor:</b>	SILVA	<b>Confirmation Date:</b>	9/11/2009
<b>Gross Income Per Schedule "I":</b>			
	\$5,150.00		\$5,150.00
<b>Less Deductions Per Paystubs/"I" (Do not deduct if using Line 57 of Form 22C)</b>			
	\$0.00		\$0.00
<b>Expenses Per Schedule J/(if applicable) Line 57 of Form 22C</b>			
	\$4,937.00		\$213.00
<b>Budget Items from Schedule "J" (Unless you are using Line 57 of Form 22C) to be Added Back to Disposable Income, additional income per paystubs or disallowed payroll deductions on "I":</b>			
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
There is no need to calculate information below this line if entries above create a monthly Disposable Income (line 44 below) of \$0.00 or less, or if you are using Line 57 of Form 22C.			
	<b>Claim/Value</b>	<b>Int Rate</b>	<b>Term</b>
<b>Monthly Pymt.</b>			
Mortgage Arrears Paid through the Plan:	\$6,400.00	0.00%	36
Other Secured Debts Paid through the Plan:	\$0.00	0.00%	36
Other Secured Debts Paid through the Plan:	\$0.00	0.00%	36
Other Secured Debts Paid through the Plan:	\$0.00	0.00%	36
Auto Payment Paid through the Plan:	\$0.00	0.00%	36
Auto Payment Paid through the Plan:	\$0.00	0.00%	36
Priority Debt Paid through the Plan:	\$0.00		36
Priority Debt Paid through the Plan:	\$0.00		36
Priority Debt Paid through the Plan:	\$0.00		36
Priority Debt Paid through the Plan:	\$0.00		36
Attorney Fees Paid through the Plan:	\$2,500.00		36
Trustee Fees	Current Fee:	9.70%	
<b>Monthly Disposable Income (DI):</b>			-\$60.78
<b>Unsecured Creditors' Pool (DI x 36 ACP):</b>			-\$2,188.04
<b>Presiding Officer:</b>	Lynda Woods		